

Ward & Ward, P.C.

Michael W. Ward

*John F. Ward, Jr.
of Counsel*

July 5, 2007

Marlene H. Dortch, Secretary
Federal Communications Commission
The Portals
445 12th Street, S.W., TW-A325
Washington, DC 20554

Re: CC Docket No. 96-128, Illinois Public Telecommunications Association,
Petition for Declaratory Ruling

Dear Ms. Dortch:

I have enclosed for filing two copies of a letter sent today on behalf of the Illinois Public Telecommunications Association to Mr. Daniel Gonzalez in reference to the above-captioned docket. In accordance with 47 C.F.R. §1.1206(b)(1), please include this letter in the record of this proceeding.

If you have any questions concerning this matter, please contact me at 847-243-3100.

Sincerely,

/s/ Michael W. Ward
Michael W. Ward

Enclosures

Ward & Ward, P.C.

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John F. Ward, Jr.
of Counsel

July 5, 2007

Mr. Daniel Gonzalez
Chief of Staff, Chairman's Office
Federal Communications Commission
The Portals
8th Floor
445 12th Street, S.W.
Washington, D.C. 20554

**Re: CC Docket No. 96-128, Illinois Public Telecommunications Association Petition for
Declaratory Ruling**

Dear Mr. Gonzalez:

As we have stated in our filings and *ex parte* meetings before the Commission in the Illinois Public Telecommunications Association Petition for Declaratory Ruling, the record established before the Illinois Commerce Commission identifies not only (1) that the incumbent local exchange companies' failed to provide local exchange services to the independent payphone service providers no later than April 15, 1997, but also established (2) that the incumbent local exchange providers collected dial around compensation for their payphones prior to their actual compliance with the new services test cost-based rate requirements on December 13, 2003. Between April 15, 1997 and December 13, 2003 the ILECs collected hundreds of millions of dollars in dial around compensation for which they were not eligible under the FCC Payphone Orders.¹

The IPTA respectfully requests that the FCC hold that the independent payphone service providers are entitled to refunds in reparation for the overcharges between April 15, 1997 and December 13, 2003 so that the FCC Payphone Orders are enforced and that the independent payphone service providers are made whole.

Respectfully submitted,



Michael W. Ward

¹ See Illinois Public Telecommunications Association Petition for a Declaratory Ruling, Docket No. 96-128 at 2, 7, 8, 17; Illinois Public Telecommunications Association Reply Comments on Illinois Public Telecommunications Association Petition for a Declaratory Ruling, Docket No. 96-128 at 2, 14, 16, 36, 38, 43, 48; Illinois Public Telecommunications Association *ex parte* Presentation to Tom Navin, Donald Stockdale, Marcus Maher (June 22, 2006), slides 8, 14; Illinois Public Telecommunications Association *ex parte* Presentation to Daniel Gonzalez (April 12, 2007) slides 10, 13.

Cc: Mr. Deutchman
Mr. Bergmann
Mr. Alexander
Mr. Hunter

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